

Rec'd PCTO 19 OCT 2005

Substitute for Form U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE PTO-1390		ATTORNEY'S DOCKET NUMBER 031309-010
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/534,879
INTERNATIONAL APPLICATION NO. PCT/EP2003/012703	INTERNATIONAL FILING DATE 13 November 2003 (13.11.2003)	PRIORITY DATE CLAIMED 14 November 2002 (14.11.2002)
TITLE OF INVENTION  PARTIALLY QUATERNISED, AMINO-FUNCTIONAL ORGANOPOLYSILOXANES AND THEIR USE IN AQUEOUS SYSTEMS		
APPLICANT(S) FOR DO/EO/US SANDNER, Bernhard; STANICA, Cristina; HAYESSEN, Rainer; and DUSCHEK, Gunther		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.</li><li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</li><li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li><li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
Items 11 to 21 below concern document(s) or information included:		
<ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li><li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li><li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li><li>20. <input checked="" type="checkbox"/> Other items or information: <u>Notification of Missing Requirement dated October 7, 2005; and Submission of Certified Copy of Priority Document</u>  <hr/><hr/><hr/></li></ol>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER																																																																																																									
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<p>21. <input type="checkbox"/> Applicant(s) requests that the published application include the following assignment information:</p> <hr/> <hr/> <hr/> <hr/>		CALCULATIONS PTO USE ONLY																																																																																																									
<p>22. <input checked="" type="checkbox"/> The following fees are submitted:</p> <table border="1"> <tr> <td colspan="2">Basic Filing Fee (1631)</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="2">Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).</td> <td><input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 \$ 130.00</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> <td>\$</td> </tr> <tr> <td>Total Claims</td> <td>-20 =</td> <td>0</td> <td>× \$50.00 (1615)</td> <td>\$ 0.00</td> </tr> <tr> <td>Independent Claims</td> <td>- 3 =</td> <td>0</td> <td>× \$200.00 (1614)</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td colspan="3">+ \$360.00 (1616)</td> </tr> <tr> <td colspan="2">Examination Fee</td> <td colspan="3">+ \$200.00 (1633) \$ 0.00</td> </tr> <tr> <td colspan="2">Search Fee</td> <td colspan="3">+ \$500.00 (1632) \$ 0.00</td> </tr> <tr> <td colspan="2">App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)</td> <td colspan="3"></td> </tr> <tr> <td colspan="2"></td> <td colspan="3">TOTAL OF ABOVE CALCULATIONS = \$ 130.00</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td colspan="3">+ \$ 0.00</td> </tr> <tr> <td colspan="2"></td> <td colspan="3">SUBTOTAL = \$ 130.00</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 (1618) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td colspan="3"><input type="checkbox"/> 20 <input type="checkbox"/> 30 \$ 0.00</td> </tr> <tr> <td colspan="2"></td> <td colspan="3">TOTAL NATIONAL FEE = \$ 130.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +</td> <td colspan="3"></td> </tr> <tr> <td colspan="2">10/25/2005 MKAYPAGH 00000106 10534879</td> <td colspan="3">TOTAL FEES ENCLOSED = \$ 130.00</td> </tr> <tr> <td colspan="2">01 FC:1617 130.00 0P</td> <td colspan="3"> <input type="checkbox"/> Amount to be refunded :  <input type="checkbox"/> charged :         </td> </tr> <tr> <td colspan="5">           a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.            b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.            c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u>. A duplicate copy of this sheet is enclosed.            d. <input checked="" type="checkbox"/> Charge <u>\$ 130.00</u> to credit card. Form PTO-2038 is attached.         </td> </tr> <tr> <td colspan="5">NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</td> </tr> <tr> <td colspan="5">SEND ALL CORRESPONDENCE TO:</td> </tr> <tr> <td colspan="5">           Buchanan Ingersoll PC            Including attorneys from Burns, Doane, Swecker &amp; Mathis            P.O. Box 1404            Alexandria, Virginia 22313-1404            (703) 836-6620         </td> </tr> <tr> <td colspan="5">             SIGNATURE  <u>Patrick C. Keane</u>            NAME  <u>Patrick C. Keane</u>            REGISTRATION NO. <u>32,858</u> DATE <u>October 19, 2005</u> </td> </tr> </table>		Basic Filing Fee (1631)		\$ 0.00	Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).		<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 \$ 130.00	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total Claims	-20 =	0	× \$50.00 (1615)	\$ 0.00	Independent Claims	- 3 =	0	× \$200.00 (1614)	\$ 0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00 (1616)			Examination Fee		+ \$200.00 (1633) \$ 0.00			Search Fee		+ \$500.00 (1632) \$ 0.00			App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)							TOTAL OF ABOVE CALCULATIONS = \$ 130.00			<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 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## UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 19 OCT 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,879	Bernhard Sandner	031309-010

INTERNATIONAL APPLICATION NO.

PCT/EP03/12703

I.A. FILING DATE	PRIORITY DATE
11/13/2003	11/14/2002

21839  
 BUCHANAN INGERSOLL PC  
 (INCLUDING BURNS, DOANE, SWECKER & MATHIS)  
 POST OFFICE BOX 1404  
 ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 8844

371 FORMALITIES LETTER



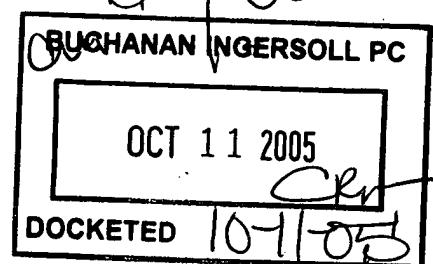
\*OC000000017197511\*

Date Mailed: 10/07/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/12/2005
- English Translation of the IA filed on 05/12/2005
- Copy of the International Search Report filed on 05/12/2005
- Copy of IPE Report filed on 05/12/2005
- Preliminary Amendments filed on 05/12/2005
- Information Disclosure Statements filed on 05/12/2005
- U.S. Basic National Fees filed on 05/12/2005
- Priority Documents filed on 05/12/2005
- Specification filed on 05/12/2005
- Claims filed on 05/12/2005
- Abstracts filed on 05/12/2005



BEST AVAILABLE COPY

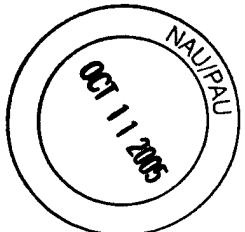
The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Missing parts due 12-17-05



Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

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Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,879	PCT/EP03/12703	031309-010

FORM PCT/DO/EO/905 (371 Formalities Notice)